

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

TOWN OF BIG FLATS AGENDA
MONDAY, DECEMBER 29, 2014 AT 4:30 P.M.

WATER BOARD

CALL TO ORDER

NEW BUSINESS

Bid Award/ Well Casing Inspection

Bid Award/ Aquifer & Compliant Well Pump Test

TOWN BOARD

CALL TO ORDER

CONCERNS OF THE PEOPLE

MINUTES – October 22, 2014, November 10, 2014, November 12, 2014, and
November 19, 2014

NEW BUSINESS

Budget Transfers and Amendments

Abstract of Audited Vouchers

Big Flats American Legion GOC License 2015

Lease Agreement/ Christopher Friend

2015 Association of Towns Annual Training

Intermunicipal Agreement DPW Highway/Parks/Drainage

Communication Log

Surplus Paver

Southern Tier Dog Control Agreement

Set 2015 Organizational Meeting

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

PRESENT:	Deputy Supervisor	Andy Gillette
	Council	Bob Adams
		Lee Giammichele
		Mike Saglibene
	Attorney	Thomas Reilly
	Clerk	Linda Cross
ABSENT:	Supervisor	Edward Fairbrother

Deputy Supervisor Gillette called the Water Board meeting to order at 4:30 p.m., and requested those present to participate in the Pledge of Allegiance.

NEW BUSINESS

RESOLUTION NO. 278-14
BID FOR WELL CASING INSPECTION AND WORK FOR WD4 W1 AWARDED

Resolution by: Giammichele
Seconded by: Adams

WHEREAS Dean Wenzel, Responsible Water Operator In Charge, has brought attention to an issue regarding the well casing in WD 4, Harris Hill Manor. The Town of Big Flats Water Department inspected this casing on July 17, 2014 along with Dean Wenzel, Josh Stermer, Andy Avery, Chris Austin, Jim Baker from Larson Design, and Steve Crook from Layne, and

WHEREAS it was apparent that the well casing is corroded and that there could be unknown issues below the line of sight, and that Water District 4, Harris Hill Manor, has only one well as a water source. And that if the well casing or other issue takes the well out of service for any length of time we would have to implement a portion of our Emergency Plan to continue to supply water to our customers in Harris Hill Manor, and

THEREFORE it was decided that we solicit at least two bids for the inspection and repair of the well casing, and

WHEREAS Chris Austin took care of obtaining the two required bids and received the two submissions that are detailed below:

CONTRACTOR BASE BID:

- | | |
|------------------------------|---------|
| 1. MOODY & ASSOCIATES | \$5,368 |
| 2. LAYNE CHRISTENSEN COMPANY | \$5,955 |

WHEREAS Tim Steed, Director of Site/Civil Engineering for Hunt Engineering, on retainer with the Town of Big Flats Water Department, has reviewed the Bids and determined that Moody & Associates bid was lower and would work well with the fact that Moody & Associates will also be doing work at WD1 W1 at the same time, he has recommended that we award the project to Moody & Associates, and

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

RESOLUTION NO. 278-14, BID FOR WELL CASING INSPECTION AND WORK FOR
WD4 W1 AWARDED continued

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (1) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town of Big Flats awards the Bid Moody & Associates, 625 Broad Street Ext, Suite 1, Waverly, New York for \$5,368.00 (Five Thousand, Three hundred sixty eight dollars) and authorizes the Town Supervisor to sign the Notice of Award.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

RESOLUTION NO. 279-14
BID FOR AQUIFER AND COMPLIANT WELL PUMP TEST FOR WD1 W1 AWARDED

Resolution by: Adams
Seconded by: Saglibene

WHEREAS the Town of Big Flats Water Department is seeking to increase their groundwater withdrawal limit as set by the Susquehanna River Basin Commission (SRBC) to accommodate increased usage. Due to issues with the WD2 wells, the Town needs to conduct an Aquifer Pump Test to demonstrate that we can increase the yield from WD1 W1 to increase the permitted system wide withdrawal limit from the current limit of 590,000GPD (gallons per day), and

THEREFORE the Town is requiring the services of a professional hydro geologist to complete data research, complete an aquifer pump test plan and complete an aquifer pump test, and

WHEREAS the Town of Big Flats Water Department has Hunt Engineering on retainer, we requested the engineer to do a Request for Proposals (RFP) for the work described above, and

WHEREAS Hunt Engineering authored the RFP and sent them out to four firms on November 17, 2014 and then received two proposals by the designated deadline date of December 5, 2014. Those RFPs are listed below,

CONTRACTOR BASE BID

1. LANE CHRISTENSEN	No Bid Received
2. HANSON VANVLEET	\$29,020
3. MOODY & ASSOCIATES	\$32,990
4. BARNEY MORAVICH	No Bid Received

WHEREAS Tim Steed, Director of Site/Civil Engineering for Hunt Engineering has reviewed the Bids and determined that with the experience Moody & Associates possesses regarding the

RESOLUTION NO. 279-14, BID FOR AQUIFER AND COMPLIANT WELL PUMP TEST FOR WD1 W1 AWARDED continued

SRBC and with potential additional scope items, that we award the project to Moody & Associates, and

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (1, 18) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town of Big Flats awards the Bid to Moody & Associates, 685 Broad Street Ext. Suite 1, Waverly, New York for \$32,990.00 (Thirty two Thousand Nine Hundred ninety dollars) and authorizes the Town Supervisor to sign the Notice of Award.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

RESOLUTION NO. 280-14
WATER DISTRICT #4 AGREEMENT WITH PETER MARCHESE, FORESTER APPROVED

Resolution by: Saglibene
Seconded by: Giammichele

WHEREAS the Water Board has discussed having the property known as Water District #4 timbered, and

WHEREAS, Shawn Crater, Water Systems Supervisor, has solicited Forest Management Service from two foresters, Peter Marchese, Robert Moore from Forestate, and

WHEREAS both submitted proposals for the purpose of providing Forest Management Services, and

WHEREAS the cost of providing the service differed, 12.5% and 15% respectively, and that we used Peter Marchese for the timbering of the same parcel back in 2002, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6 NYCRR, Part 607.5 (c), (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Water Board authorizes the Town Supervisor to enter into an agreement with Peter Marchese, 3759 Lee Road, Corning, NY, for the purpose of providing Forest Management Services at a cost of 12 ½% of the first \$250,000 and 10% of the next \$100,000 and 8% of the value of forest products designated for harvest, contingent upon the review and approval by the Attorney for Town.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

Deputy Supervisor Gillette closed the Water Board meeting at 4:40 p.m., and opened the Town Board Meeting at 4:41 p.m.

TOWN BOARD

CONCERNS OF THE PEOPLE – None

MINUTES

Councilperson Saglibene made a motion, seconded by Councilperson Adams to approve the minutes of October 22, 2014 as presented. All in favor except Supervisor Fairbrother was absent, motion carried.

Councilperson Saglibene made a motion, seconded by Councilperson Adams to approve the Special Town Board minutes of November 10, 2014 as presented. All in favor except Supervisor Fairbrother was absent, motion carried.

Councilperson Saglibene made a motion, seconded by Councilperson Adams to approve the Special Town Board minutes of November 12, 2014 as presented. All in favor except Supervisor Fairbrother was absent, motion carried.

Councilperson Saglibene made a motion, seconded by Councilperson Adams to approve the minutes of November 19, 2014. Deputy Supervisor Gillette ask to have the missed comment from Supervisor Fairbrother and the Resolution No. 269 approving the Big Flats Fire Protection District No. 1 with Big Flats Fire Department. (See Below.) All in favor except Supervisor Fairbrother was absent, motion carried.

[ADD, Supervisor Fairbrother's comment below was left out of the November 19, 2014 minutes](#)

Supervisor Fairbrother re-opened discussion of the Big Flats Fire Protection District One; and announced that present from the Chemung County Office of EMO were Mike Smith and Mark Cicora. Members of the Board asked Mike Smith about the ISO of the Big Flats Fire Department and the Town and County Fire Department. Mike explained that they both had the same rating of 5/5. ISO is the International Organization for Standardization and they review Fire Departments and other entities to measure their conformance with the standards set by ISO for performance, equipment etc. Town and Country Fire Department had claimed in correspondence with the Town, that the Big Flats Fire Department had a significantly lower rating. The Board then had a general and open discussion about the departments. Representatives from both departments were present and the Supervisor again asked if either of them had any comments. Neither did. The Supervisor then asked if the Board had all the information they needed to vote on the selection of the department that would service Fire Protection District One and they unanimously indicated that they did. The Supervisor then asked to members to decide on which resolution (separate resolutions had been prepared for each Fire Department). Then Resolution No. 269-14 (below) was moved for approval.

[ADD Resolution No. 269-14, was left out of the November 19, 2014 minutes](#)

RESOLUTION NO. 269-14
FIRE PROTECTION DISTRICT NO. 1 CONTRACT WITH BIG FLATS FIRE
DEPARTMENT

Resolution by: Giammichele

Seconded by: Gillette

WHEREAS the Town of Big Flats has Fire Protection District No. 1 within the Town that requires an agreement for the purposes of providing fire and emergency protection, and

WHEREAS the Town Board duly advertised and held a public hearing on November 12, 2014, and

WHEREAS for environmental purposes, agency administration is a Type II Action in accordance with 6NYCRR Part 617.5(c) (20) and as such, no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to sign the Agreement for Fire Protection District No. 1 with Big Flats Fire department for said Agreement for 2015 in the amount of \$175,000, 2016 and 2017 to be the State set Tax Cap with subject to change by agreement on both parties, subject to the review and approval of the Attorney for the Town.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother

NAYS: None

NEW BUSINESS

RESOLUTION NO. 281-14
BUDGET TRANSFERS AND HIGHWAY BUDGET AMENDMENTS APPROVED

Resolution by: Saglibene

Seconded by: Giammichele

WHEREAS a memorandum was received from the Bookkeeper, dated December 23, 2014, requesting authorization for Budget Transfers and Amendments, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to fulfill the following Budget Transfers and Amendments:

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

RESOLUTION NO. 281-14, BUDGET TRANSFERS AND HIGHWAY BUDGET
AMENDMENTS APPROVED continue

Budget Transfers

General Fund

Please authorize the following budget transfers due to overspent budgets:

To	Buildings-CE-A.1620.0400	\$17,000.00	
	Control of Dogs-CE-A.3510.0400	2,776.00	
	Street Lighting—CE-A.5182.0400	1,200.00	
	Cemetaries-PS-A.8810.0100	200.00	
	From Hosp. & Med Ins-A.9060.0800		21,176.00

Highway

Please authorize the following budget transfers due to overspent budget:

To	Snow Removal –CE-D.5142.0400	5,000.00	
	Machinery-PS-D.5130.0100	6,200.00	
	From NYS Retirement-D.9010.0800		11,200.00

WATER DEPT-#1, 2, 3 & 4

Please authorize the following budget transfers due to overspent budgets:

To	Engineering-CE-S1.1440.0400	600.00	
	From Administration-PS-S1-8310.0100		600.00
To	Engineering-CE-S2.1440.0400	600.00	
	From Administration-PS-S2.8310.0100		600.00
To	Engineering-CE-S3.1440.0400	250.00	
	From Administration-PS-S3.8310.0100		250.00
To	S of S Power -CE-S4.8320.0400	200.00	
	Hospital & Medical Ins-S4.9060.0800	124.00	
	From Administration-PS-S4.8310.0100		324.00

Sewer District #1 Budget Amendment

Please authorize to amend the 2014 Sewer District#1 Fund budget due to additional electrical charges and over-budget account.

Increase Appropriations-G1.0960	1,000.00
Increase Operating & Maint.--CE-G1.8120.4	1,000.00
Increase Appropriated Fund Balance- G1.0599	1,000.00

RESOLUTION NO. 281-14, BUDGET TRANSFERS AND HIGHWAY BUDGET
AMENDMENTS APPROVED continue

Lighting District Budget Amendment

Please authorize to amend the 2014 Lighting District budget due to additional electrical charges and over-budget account.

Increase Appropriations-SL.0960	1,000.00
Increase Contract CE-SL.5182.0400	1,000.00
Increase Appropriated Fund Balance SL.0599	1,000.00

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

RESOLUTION NO. 282-14
THE ABSTRACT OF AUDITED VOUCHERS APPROVED

Resolution by: Giammichele
Seconded by: Adams

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for December 2014, vouchers and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 406,494.07
HIGHWAY FUND	\$ 259,885.52
SEWER DISTRICT#1	\$ 510.00
WATER DISTRICT #1	\$ 9,655.00
WATER DISTRICT #2	\$ 9,274.75
WATER DISTRICT #3	\$ 3,234.13
WATER DISTRICT #4	\$ 1,028.17
LIGHTING DISTRICT	\$ 1,511.20
TRUST FUND	\$ 244.86

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

RESOLUTION NO.283-14
BIG FLATS AMERICAN LEGION GAMES OF CHANCE LICENSE FOR 2015

Resolution by: Giammichele
Seconded by: Adams

WHEREAS the Big Flats American Legion submitted an application for a Games of Chance License, and

RESOLUTION NO.283-14, BIG FLATS AMERICAN LEGION GAMES OF CHANCE
LICENSE FOR 2015 continue

WHEREAS the Town Clerk duly submitted the application to the Chemung County Sheriff's Department, Records Division, for their investigation of Findings and Determination for Games of Chance License, and

WHEREAS for environmental review, ministerial acts is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED a Findings and Determination for Games of Chance License, along with the guidance and interpretation of the New York State Racing and Wagering Board, found the designated members conducting Games of Chance games are of good moral character, and

FURTHER RESOLVE the Town Board approves the Application for a Games of Chance License, dated November 17, 2014 from the Big Flats American Legion Post 1612 to perform games of chance events as outlined in the application.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

RESOLUTION NO. 284-14
LEASE AGREEMENT WITH THE ASSEMBLY STATE OF NEW YORK ALBANY FOR
NYS ASSEMBLY DISTRICT CHRISTOPHER S. FRIEND APPROVED

Resolution by: Saglibene
Seconded by: Giammichele

WHEREAS the current lease Agreement with the Assembly of State of New York Albany for 476 Main Street, 1st floor will expire on February 28, 2015, and

WHEREAS the Town Board desires to continue said lease, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, and

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into a Lease Agreement with the Assembly of State of New York Albany for property located at 476 Maple Street 1st Floor, known as the Big Flats Town Hall, with a two-year term commencing March 1st 2015 through February 28, 2017 for an annual rental of \$7,200.00 on the Terms and Conditions subject to final review and approval by the Attorney for the Town.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

RESOLUTION NO. 285-14

2015 ASSOCIATION OF TOWNS ATTENDANCE FOR ED FAIRBROTHER, THOMAS REILLY, MIKE SAGLIBENE, LEE GIAMMICHELE, AND BOB ADAMS APPROVED

Resolution by: Gillette

Seconded by: Giammichele

WHEREAS the New York State Association of Towns offers training and an annual meeting that is to assist in the training of Town Officials and is the most comprehensive effort in this area, and

WHEREAS it is in the Town's best interest to allow representations to attend said training, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes, Ed Fairbrother, Thomas Reilly, Mike Saglibene, Lee Giammichele and Bob Adams to attend the New York State Association of Towns 2015 Training and Annual Meeting to be held February 15-17, 2015 with all appropriate expenses, not-to-exceed \$1,000.00 each, to be paid from the appropriate budgets.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette

NAYS: None

ABSENT: Fairbrother

Tabled until 1/14/2015- INTERMUNICIPAL AGREEMENT WITH CHEMUNG COUNTY AND TOWN OF BIG FLATS DPW FOR HIGHWAY/PARKS/DRAINAGE

RESOLUTION NO. 286-14

DECEMBER 29, 2014 COMMUNICATION LOG

Resolution by: Giammichele

Seconded by: Adams

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

November 18, 2014

Kahler Road South Residents - RE: Our Thanks for all who made this happen with the timely completion and beautiful resurfacing of our Road. *Referred: Town Board, Mr. Avery, Mr. Austin Dalrymple Construction, Town of Big Flats Highway Department, and filed with the Town Clerk.*

December 5, 2014

Big Flats Business Association Meeting - RE: December 3, 2014 Minutes. *Referred to: Town Board, and filed with Town Clerk.*

MINUTES OF THE WATER / TOWN BOARD MEETING OF DECEMBER 29, 21014

RESOLUTION NO. 286-14, DECEMBER 29, 2014 COMMUNICATION LOG continued

December 5, 2014

Elmira Heights Fire Company - RE: Structure fire at the Villa Serene. Referred to: *Town Board, Code and Planning Department and filed with the Town Clerk.*

December 7, 2014

Time Warner Cable - RE: Important Rate Notification Referred to: *Town Board, and Town Clerk for filing.*

December 10, 2014

Higher Hope Church –RE: Big Flats Community Center as the venue for the Service Auction Referred to: *Town Board, Community Center Director and Town Clerk for filing.*

December 16, 2014

Village of Elmira Height, NY - RE: Villa Serene Apartment structure fire. Referred to: *Town Board, Code and Planning Department, and the Town of Big Flats Fire Department and filed with the Town Clerk.*

December 19, 2014

Time Warner Cable – RE: December 17, 2014 Programming Notice Changes (CNY). Referred to: *Town Board, and Town Clerk for filing.*

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette

NAYS: None

ABSENT: Fairbrother

RESOLUTION NO. 287-14

SALE OF SURPLUS GOVERNMENT EQUIPMENT 1991 INGERSOLL RAND PAVER
APPROVED

Resolution by: Adams

Seconded by: Giammichele

WHEREAS, it has been approved to surplus the 1991 Ingersoll Rand Paver Model 450P by resolution 256-14, on October 22, 2014. The Town of Catlin has offered Seven Hundred Dollars (\$700.00) for the Paver.

WHEREAS for environmental purposes, the sale of surplus government equipment is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the sale of the Ingersoll Rand Paver Model 450P to the Town of Catlin for Seven Hundred dollars (\$700.00).

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette

NAYS: None

ABSENT: Fairbrother

RESOLUTION NO. 288-14
SOUTHERN TIER DOG CONTROL SHELTER AGREEMENT APPROVED

Resolution by: Giammichele
Seconded by: Saglibene

WHEREAS The Town of Big Flats would like to enter into an agreement with Southern Tier Dog Shelter for the purpose of conducting animal control, and

WHEREAS Southern Tier Dog Shelter will be using Tanner's Paws for housing and adoption as needed, and

WHEREAS for environmental review purposes the Town Board finds this to be Type 2 administrative action pursuant to 6NYCRR 617.5(c) (20) and as such, no environmental review is required for a Type 2 action, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to enter into an agreement with Southern Tier Dog Shelter for the purpose of conducting dog control at a cost not-to-exceed \$2000.00 per month for January 1, 2015 to December 31, 2017.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

RESOLUTION NO. 289-14
2015 ORGANIZATIONAL MEETING SET

Resolution by: Saglibene
Seconded by: Adams

RESOLVE the Town Board sets the time and place for the 2015 Organizational Meeting for January 14, 2015 at 4:30 p.m.

CARRIED: AYES: Giammichele, Adams, Saglibene, Gillette
NAYS: None ABSENT: Fairbrother

Councilperson Giammichele made a motion, seconded by Deputy Supervisor Gillette to adjourn the Town Board meeting at 5:10 P.M. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk

